

THE FUTURE OF ORPHANS AND VULNERABLE CHILDREN: AN INTERROGATION OF COMMUNITY BASED CHILD PROTECTION MECHANISMS IN ELDORET UASIN GISHU COUNTY-KENYA

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ABSTRACT

The vulnerability of children in most Kenyan communities is evident. Its manifestation in different spheres is an implication of widespread disorders in the society such as poverty, family breakdown, wars, displacement, sexual exploitation, HIV/AIDS among others. The categories of children exposed to these vulnerabilities include street children, abandoned, abused, neglected and those exploited hence posing challenges to their survival and development. This has led to development of several interventions to address child protection concerns at national and local level. One of these interventions is the adoption of community based child protection mechanisms. Academic evidences from various studies done on child protection in other countries in Africa and particularly Kenya have shown how adoption of these mechanisms can effectively address child protection issues. This paper is an upshot of the exploratory studies done by the authors and other researchers and particularly interrogates the disconnect that exist between the local and national child protection mechanisms that threaten the future of vulnerable children. The paper argues that not much has been done to strengthen community child protection mechanisms, which play the role of prevention and coordination of resources at the community level in addressing child protection issues. Moreover, interventions employed by various stakeholders to establish and/or strengthen child protection systems, have achieved little and are not sustainable without full support from the central government. Further, the interventions have been blamed on employing approaches that are not reflective of the needs of children hence fail to make impact. The paper concludes that community based child protection structures are fundamental instruments in prevention of children vulnerabilities and create a link between children, community and national structures. The paper recommends that for community based child protection structures to be effective, a creation of collaborative networks and coordination of these mechanisms in addressing children vulnerabilities is paramount.

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INTRODUCTION

In 2005, 5.5 million children in sub-Saharan Africa became orphans from all causes, up from 3.4 million children who were orphaned in 1990. Some of this increase is explained by population growth and HIV/AIDS (UNAIDS & UNICEF, 2006). Where poverty and HIV/AIDS co-exist, children and households are at risk of great deprivation. The consequences lead to reduced income, increased expenses and higher dependency ratios which results in impoverished families. As the HIV/AIDS epidemic takes its toll on societies, there is corroboration that orphaned children can end up abandoned, neglected or live in poorer households, conceivably because households able to care for additional children are becoming inundated (USAID, 2012). Community-based child protection mechanisms have been recognised as an important way of mobilising communities around child protection.

According to World Vision, child protection systems is “a set of coordinated formal and informal elements working together to prevent and respond to abuse, neglect, exploitation and other forms of violence against children” (Forbes et al, 2011:3). The absence of a specific coordination structure for children can further marginalize them. Without such a structure, children can fall through the gaps created by the various legislations. They can remain invisible until a coordinating structure can identify and monitor them. For example, largely as a result of the absence of a comprehensive coordinating structure for children in Ethiopia, programming targets less than a fifth (1/5) of the OVC population (Sc UK, 2004).

Efforts by child protection actors in recent years have been focused on strengthening these mechanisms, in particular at the family and community level. With child protection interventions generally targeting contexts in which the state is unable or unwilling to provide for the protection of children, families and communities are considered to be the primary actors in protecting children and young people against exploitation. System strengthening in Sub Saharan Africa has consistently highlighted the importance of building sustainable community-based mechanisms that are coordinated with the wider system. Key determinants to consider are community ownership, support of traditional leaders and the use of existing resources coordinated and linked with the formal and non-formal structures. These approaches serve to address and manage issues of power and diversity through participation and inclusiveness (Davis & McCaffery, 2012).

In Uganda for example, local government child protection structures, are equipped and supported to take a leadership role in protecting children. Additionally, traditional structures and practices are powerful forces at the local level. In the local context (Kenya), community mechanisms are an essential component of wider child protection systems. For instance, child protection committees are useful in part because they inter-connect different levels of national child protection systems such as the National Council of Children Services and Area Advisory Councils (AAC). All children are protected by international law against violence and abuse which include, United Nations Convention on Child right (UNCRC) African Charter on Child Welfare (ACCW), Children Act 2001. However, this protection will exist only on paper until the public, organizations and governments make an effort to extend their care to the tenderest of human beings (Stopler, 2007).

Cognizantly, it is important to develop effective child protection systems that include inter-connected protective mechanisms at different social levels and strict adherence to children's legal instruments. The structure of the Kenyan, Ugandan and Tanzanian systems provide for three different ways in which the government can intervene if a child has been or is in danger of being violated. The Administrative intervention is done at a local level by a chief of a district or division. The chief is well known amongst the people and is generally aware, possibly through the assistant chiefs who are delegated authorities in smaller units within the community (Stopler, 2007).

Other studies indicate that some local structures addressing child protection lack coordinated efforts thus, many child protection issues go unresolved. For instance, the local chiefs in Uganda and the chiefs in Kenya have the power to arrest a person on the grounds of public disorderly conduct, but do not have judicial investigative powers, so they must hand the offender over to the police after a period of holding. The chiefs are also mediators within the community, often intervening to apply local forms of justice and thereby avoiding the police. The police do not appear to be involved or even contacted by the so-called insiders of the community, who solve their local problems together with the chief rather than at the police station. The people that go to the police are relative outsiders that may not have access to this system or feel that it would not do them justice.

Child protection systems are perceived to bring together formal and non-formal institutions to address child protection issues. This paper is an outcome of one of the objectives of the study that aimed at investigating effectiveness of the linkages and coordination of efforts that exist between national and local child protection structures. This was important to examine the functionality of formal and non-formal child protection structures to unravel the disconnect that exist and lead to inability of the child protection systems to exercise child protection responsibilities.

RESEARCH METHODOLOGY

Eldoret Municipality is the fastest growing commercial hub in Uasin Gishu County, Kenya. It is well interlinked with roads, railway and air transport network. It has an expansive agricultural production that offers opportunities for a number of economic activities. Eldoret town is the headquarter of Uasin Gishu County in the North Rift Region. The County share common borders with Trans Nzoia County to the North, Elgeyo-Marakwet County to the East, Baringo County to the South East, Kericho County to the South, Nandi County to the South West and Kakamega County to the North West. The County has a total area of 3,327.8km² (Uasin Gishu District Information Office, 2011). The researchers' focus on Eldoret Municipality is based on the fact that it is a politically hot spot town and has an ever growing number of street children largely from many factors such as poverty, HIV/AIDS, tribal clashes/wars, emergence and expansion of low income estates (slums), and also acts as a strategic meeting point for children from different parts of the country. The study used descriptive study and data collection was through focus group discussions through organised workshops.

FINDINGS AND DISCUSSIONS

3.1 Context of Eldoret Municipality

Eldoret is one of the towns in the rift valley province and highly habitable with street children. The town was also hit badly by the post election violence in 2007/8. Since that time the town has experienced an influx of street children. The street children themselves unlike other towns in Kenya have labeled it a safe haven for food. Adjacent town like Kitale, Lodwar, Burnt Forest and Nakuru and the existing low income estates in Eldoret town have also acted as the major suppliers of street children in Eldoret Municipality.

3.2 Formation of Child Protection Structures

Protecting children is paramount in our communities if we are to nurture well our future generations. How to respond to, mitigate, and prevent risks to children's protection and well-being is a thoughtful, and necessary to develop and strengthen protective factors at multiple levels, such as the family, community, national and international levels for the survival and development of a child. In the year 2010, Ex-street Children Community Organization (ECCO) an organization working with street children and orphans and vulnerable children realized that many children coming into the streets were from the slums around Eldoret town and devised prevention strategies to curb the menace of street children. One of these strategies was the establishment and strengthening of Child Protection Committees (CPCs). Through the support of Save the Children UK, ECCO identified, formed and trained four Child Protection Committees in the major low income estates which include Langas, Munyaka, MailiNne, Huruma and Kipkaren.

CPCs were aimed to improve the coordination of services for children at risk at the grassroots as well as increasing their participation in activities affecting them, act as a point of reference (CPCs) at the grassroots level, empower them thorough knowledge and how to identify community/local resources to support vulnerable children, help them understand how to identify networks and create linkages aimed at supporting vulnerable children in the community, enhancing their capacity to share information and best practices, creating a monitoring system at the community level to identify, respond to and mitigate child protection concerns and also know how to manage information. To date, CPCs have become key local informal institutions in terms of planning and coordination of child protection work. As they are formed at the grassroots they are aware and understand the needs of the children and communities they serve and direct sufficient resources to services for the care and protection of children. This model has so far been replicated by other organizations within Uasin Gishu County as a best practice.

3.3 Child Protection Issues

The study sought to understand the existing child protection concerns in Eldoret Municipality. It was evident that low income estates such as Langas, Kipakren, Kamukunji, Huruma, MailiNne, Hillschool and Mukanyaka were most affected by child protection issues. The participants were grouped basing on the estate they come from. The child protection issues were prevalent in all low income estates of Eldoret Municipality. For

instance; child neglect and abandonment due to local brew were rampant in Langas and Mwanzo; physical abuse from the step mother, unwanted pregnancy and abortion, drug abuse among youths, sexual abuse, defilement were in Mwanzo, Langas-Kusumu Ndogo; prostitution and neglect, economic exploitation, lack of shelter, jiggers Infestation were notorious in Langas; school drop-out, alcoholism were more in Langas-Kambi Nguruwe, Beta-farm, and Kamukunji; video dens, and rape cases were mostly reported in Kamkunji; early marriages and child neglect were reported in Kambi Thomas; gambling activities among children were prevalent in Munyaka and Kapsoya; and lastly child labour, scrap metal selling and plenty of bars and sexual exploitation were evident in West estate.

3.4 Coordination of Efforts by Various Child Protection Structures

The study found that there exist government children department at the County level that is currently coordinated by the Children County coordinator who also ensures that District children officers and their assistants perform child protection duties as bestowed to them. It was established that for the government to coordinate well children activities at the grassroots level, they formed Area Advisory Councils to work in tandem with the provincial administration.

His was on the basis that all communities have various child protection issues that need enormous support. This led to non-governmental organizations with other stakeholders including the government to devise strategies that supplement the government activities on child protection. Hence, the formation of auxiliary structures such as child protection committees, Locational Orphans Committee (LOC) and volunteer children Officers which has recently been adopted by the government.

To ensure all children are protected by national and international law against violence and abuse, these structures are taken into various child protection trainings that help them to learn about child rights and how to respond to various child protection issues such as how to categorize vulnerable children, how to identify abused children, symptoms of abused children, and how to address vulnerable children concerns. The study found that although most traditional mechanisms such as extended families addressing child protection issues have broken down, non-governmental organizations actors remain committed to serving local communities and institute local child protection structures that will most likely remain long after donor funds have ended. These child protection systems are capacity build to bring together formal and non-formal elements in a sufficient and coordinated manner.

3.5 Emerging Issues

It emerged during the workshop that the cases of child abuse, school drop-out, abandonment and neglect were rampant in Langas, MailiNne and Huruma more than any other estate in Eldoret Municipality. It was also evident from the group discussions that high cases of prostitution and single-parent families have exposed children to more vulnerability. Alcoholism in Huruma (at King'ong'o) was highlighted to be one of the major challenges in child protection since it has made many parents to be irresponsible. These parents do not provide their children with enough care. Some children have dropped out of school because the parents are not able to buy school uniforms, and other relevant items for

their education. Some children are also used by their parents to sell local brew to customers, something that has also exposed them to taking alcohol. One participant said that: "*Idling children are keeping themselves busy in video shows, which expose them to negative practices such as prostitution (for girls) and theft (for boys).*"

3.6 Existing Gaps on Child Protection

The study found that there exist a disconnect between the local and national child protection mechanisms that threaten the future of vulnerable children. For example, it is rare for the central government to give resources to support local structures such as Area Advisory Council in order to address the needs of vulnerable children. As revealed by the study, most volunteer children protection committee members volunteer most of their time and mobilise their own resources to support vulnerable children. There is lack of political will and coordination of efforts in addressing child protection issues. Therefore, not much has been done to strengthen community child protection mechanisms, which play the role of prevention and coordination of resources at the community level in addressing child protection issues.

More and above, interventions employed by various stakeholders to establish and/or strengthen child protection systems, have achieved little and are not sustainable without full support from the central government. Some of the interventions have been blamed on employing approaches that are not reflective of the needs of children hence fail to make impact. Child participation is very vital for effective community response to child protection issues and should be given special attention. It was also revealed that some child protection committee members play double standards when handling child protection issues. Therefore, the selection of community volunteers is important for promoting diversity, rather than reinforcing discrimination. Adequate resources and government commitment is required to make this links effective.

3.7 Achieving Success in Child Protection

Community-based child protection structures form an integral part of the response to ensuring that the needs of OVC are addressed adequately. Communities have continued to be the backbone of providing support to vulnerable children in the context of HIV and AIDS, even when community structures are stretched and resources limited. Communities often take it upon themselves to provide as much support as possible, regardless of whether they have been mandated or not by legal frameworks, or even assisted by donors, national and international organizations and the government.

The study found that child protection structures have played an instrumental role in providing the first line which has increasingly been acknowledged by governments and other stakeholders. Child protection committees mobilise local resources to assist most vulnerable families with practical needs such as food and clothing, provide information on child development and positive parenting, and providing counseling and family mediation, help build parenting and daily living skills, creation of networks and referrals, assist the parent in building supportive connections with other parents, extended family and community groups and conduct family meetings. Similar to this study, in South Africa it has also been recognised that resources need to be channeled to the community level in

order to reinforce and strengthen community action (De Bruin Cardoso, 2010). This is evidenced in current OVC programming guidelines and models, which frequently stress the central role of communities in mitigating the impacts of HIV and AIDS on vulnerable children and their families.

CONCLUSION AND RECOMMENDATIONS

The vulnerability of children in most Kenyan communities is evident. Its manifestation in different spheres is an implication of widespread disorders in the society such as poverty, family breakdown, wars, displacement, sexual exploitation, HIV/AIDS among others. One of the interventions that can address child protection issues at the grassroots is the adoption of community based child protection structures. Research and academic evidences from various studies on child protection in developing countries and particularly Kenya have shown that adoption of these mechanisms can effectively address child protection issues. However, there exist disconnect between the local and national child protection mechanisms hence failure to address child protection concerns.

The author argues that not much has been done to strengthen community child protection mechanisms, which play the role of prevention and coordination of resources at the community level in addressing child protection issues. Moreover, interventions employed by various stakeholders to establish and/or strengthen child protection systems, have achieved little and are not sustainable without full support from the central government. Besides, these interventions have been blamed on employing approaches that are not reflective of the needs of children hence fail to make impact. The paper concludes that community based child protection structures should not be underrated as they are fundamental instruments in prevention of children vulnerabilities. They also create a link between children, community and national structures. The researcher therefore, recommends that for community based child protection structures to be effective, a creation of collaborative networks and coordination of these mechanisms from the national to the local level in addressing children vulnerabilities is paramount. Additionally, strategies that can be employed at the community level should include advocacy, community action, providing services and resources and also participate in policy development.

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